

## **EXHIBIT 5**

ABUSE PREVENTION OF R (G.L. c. 209A) Page 1 of 2		DOCKET NO. 1783499 02 50 RO-228		JUDICIAL COURT OF MASSACHUSETTS	
PLAINTIFF'S NAME <b>COLLEEN O'DONNELL</b>		Defendant's Name and Address <b>DAVID REYNOSO</b>		Alias, if any	
NAME & ADDRESS OF COURT  Malden District Court 89 Summer Street Malden, MA 02148		<div style="border: 2px solid black; padding: 5px; display: inline-block;"> <b>EXHIBIT</b>   <u>CL 27</u>  <u>MDF 3.24.05</u> </div>		Date of Birth	
				Place of Birth <b>Lynn</b>	
		Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F		Daytime Phone # ( )	
		Mother's Maiden Name (First & Last)			
		Father's Name (First & Last)			

**VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE punishable by imprisonment or fine or both.**

**A. THE COURT HAS ISSUED THE FOLLOWING ORDERS TO THE DEFENDANT: (only those items checked shall apply)**

- ☒ This Order was issued without advance notice because the Court determined that there is a substantial likelihood of immediate danger of abuse. ☐ This Order was communicated by telephone from the Judge named below to: Police Dept. \_\_\_\_\_ Police Officer \_\_\_\_\_
1. YOU ARE ORDERED NOT TO ABUSE THE PLAINTIFF by harming, threatening or attempting to harm the Plaintiff physically or by placing the Plaintiff in fear of imminent serious physical harm, or by using force, threat or duress to make the Plaintiff engage in sexual relations unwillingly.
  2. YOU ARE ORDERED NOT TO CONTACT THE PLAINTIFF, except as permitted in 8 below or for notification of court proceedings as permitted in this section, either in person, by telephone, in writing or otherwise, either directly or through someone else, and to stay at least 50 yards from the Plaintiff even if the Plaintiff seems to allow or request contact. Notification of court proceedings is permissible only by cell, or by sheriff or other authorized officer when required by statute or rule. *(You may lawfully attend work but must stay away from 5:00pm to 5:30pm)*
  3. YOU ARE ORDERED TO IMMEDIATELY LEAVE AND STAY AWAY FROM THE PLAINTIFF'S RESIDENCE, located at 58 Chester St., MALDEN or wherever else you may have reason to know the Plaintiff may reside. Plaintiff also ORDERS you (a) to surrender any keys to that residence to the Plaintiff, (b) not to damage any belongings of the Plaintiff or any other occupant, (c) not to shut off or cause to be shut off any utilities or mail delivery to the Plaintiff, and (d) not to interfere in any way with the Plaintiff's right to possess that residence, except by appropriate legal proceedings.
 

☐ If this box is checked, the Court also ORDERS you to immediately leave and remain away from the entire apartment building or other multiple family dwelling in which the Plaintiff's residence is located.
  4. PLAINTIFF'S ADDRESS IMPOUNDED. The Court ORDERS that the address of the Plaintiff's residence is to be impounded by the Clerk-Magistrate or Register of Probate so that it is not disclosed to you, your attorney, or the public.
  5. YOU ARE ORDERED TO STAY AWAY FROM THE PLAINTIFF'S WORKPLACE located at \_\_\_\_\_
  6. CUSTODY OF THE FOLLOWING CHILDREN IS AWARDED TO THE PLAINTIFF:

NAME	DOB	NAME	DOB

7. YOU ARE ORDERED NOT TO CONTACT THE CHILDREN LISTED ABOVE OR ANY CHILDREN IN THE PLAINTIFF'S CUSTODY LISTED BELOW, either in person, by telephone, in writing or otherwise, either directly or through someone else, and to stay at least \_\_\_\_\_ yards away from them unless you receive written permission from the Court to do otherwise.
- ☐ You are also ordered to stay away from the following school, day care, other: \_\_\_\_\_

NAME	DOB	NAME	DOB

8. VISITATION WITH THE CHILDREN LISTED IN SECTION 6 IS PERMITTED ONLY AS FOLLOWS (may be ordered by Probate and Family Court only):

- ☐ Visitation is only allowed if supervised and in the presence of \_\_\_\_\_ at the following times \_\_\_\_\_ to be paid for by \_\_\_\_\_ (third party), and not by you.
- ☐ Transportation of children to and from this visitation is to be done by \_\_\_\_\_ (third party), and not by you.
- ☐ You may contact the Plaintiff by telephone only to arrange this visitation.

- ☐ 9. YOU ARE ORDERED TO PAY SUPPORT for ☐ the Plaintiff and ☐ your child or children listed above, at the rate of \$ \_\_\_\_\_ per ☐ week - or per ☐ \_\_\_\_\_, beginning \_\_\_\_\_, 20\_\_\_\_ ☐ directly to the Plaintiff ☐ through the Probation Office of this Court ☐ through the Massachusetts Department of Revenue ☐ by income assignment.

- ☐ 10. YOU MAY PICK UP YOUR PERSONAL BELONGINGS in the company of police at a time agreed by the Plaintiff and the Defendant.
- ☐ 11. YOU ARE ORDERED TO COMPENSATE THE PLAINTIFF for \$ \_\_\_\_\_ in losses suffered as a direct result of the abuse, to be paid in \_\_\_\_\_ or before \_\_\_\_\_, 20\_\_\_\_ ☐ directly to the Plaintiff ☐ through the Probation Office of this Court.

- ☒ 12. THERE IS A SUBSTANTIAL LIKELIHOOD OF IMMEDIATE DANGER OF ABUSE. YOU ARE ORDERED TO IMMEDIATELY SURRENDER to the Lynn Police Department all guns, ammunition, gun licenses and FID cards. Your license to carry a gun, if any, and your FID card, if any, are suspended immediately.
- ▶ You may ask the Court to change this Order by going to the Court and filing a petition. The Court will schedule a hearing on your petition.
- ▶ You must immediately surrender the items listed above, and also comply with all other Orders in this case, whether or not you file a petition.
- ▶ If you need a firearm, rifle, shotgun, machine gun, or ammunition for your job, you may ask for a hearing within two days.

- ☐ 13. YOU ARE ALSO ORDERED \_\_\_\_\_

The Plaintiff must appear at scheduled hearings, or this Order may be vacated. The Defendant may appear, with or without attorney, to oppose any extension or modification of this Order. If the Defendant does not appear, the Order may be extended or modified as determined by the Judge. For good cause, either the Plaintiff or the Defendant may request the Court to modify this Order before its scheduled expiration date.

<b>ABUSE PREVENTION ORDER</b> (G.L. c. 209A) Page 2 of 2		DOCKET NO. 02 50 <del>XX</del> RO-228		TRIAL COURT OF MASSACHUSETTS	
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14. Police reports are on file at the \_\_\_\_\_ Police Department.

15. OUTSTANDING WARRANTS FOR THE DEFENDANT'S ARREST:  
(DOCKET #s) \_\_\_\_\_ (PCF #) \_\_\_\_\_

☐ 16. An imminent threat of bodily injury exists to the petitioner. Notice issued to \_\_\_\_\_ Police Department(s) by ☐ telephone ☐ other \_\_\_\_\_

☐ B. NOTICE TO LAW ENFORCEMENT.

1. An appropriate law enforcement officer shall serve upon the Defendant in hand a copy of the Complaint and a certified copy of this Order (and Summons), and make return of service to this Court. If this box is checked ☐, service may instead be made by leaving such copies at the Defendant's address shown on Page 1 but only if the officer is unable to deliver such copies in hand to the Defendant.

☐ 2. Defendant Information Form accompanies this Order.

☐ 3. Defendant has been served in hand by the Court's designee: Name \_\_\_\_\_ Date \_\_\_\_\_

DATE OF ORDER 4-9-02	TIME OF ORDER 10:20 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	EXPIRATION DATE OF ORDER 4-23-02 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	NEXT HEARING DATE: 4-23-02 at 9:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. in Courtroom
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The above and any subsequent Orders expire on the expiration dates indicated. Hearings on whether to continue and/or modify Orders will be held on dates and times indicated.

SIGNATURE/NAME OF JUDGE  
*R. H. Hall*

☒ C. PRIOR COURT ORDER EXTENDED.

After a hearing at which the Defendant ☒ appeared ☐ did not appear, the Court has ORDERED that the prior Order dated 4-9-02 shall continue in effect until the next expiration date below ☒ without modification

☐ with the following modification(s): \_\_\_\_\_

☐ Return of items ordered surrendered or suspended in A.12. on Page 1 presents a likelihood of abuse to the Plaintiff.

DATE OF ORDER 4-23-02	TIME OF ORDER 10:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	EXPIRATION DATE OF ORDER 4-23-03 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	NEXT HEARING DATE: 4-23-03 at 9:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M. in Courtroom
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SIGNATURE/NAME OF JUDGE  
*R. H. Hall*

☐ D. FURTHER EXTENSION.

After a hearing at which the Defendant ☐ appeared ☐ did not appear, the Court has ORDERED that the prior Order dated \_\_\_\_\_, 199\_\_\_\_ shall continue in effect until the next expiration date below ☐ without modification

☐ with the following modification(s): \_\_\_\_\_

☐ Return of items ordered surrendered or suspended in A.12. on Page 1 presents a likelihood of abuse to the Plaintiff.

DATE OF ORDER	TIME OF ORDER <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	EXPIRATION DATE OF ORDER	NEXT HEARING DATE: _____ at _____ <input type="checkbox"/> A.M. <input type="checkbox"/> P.M. in Courtroom
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SIGNATURE/NAME OF JUDGE

☐ E. PRIOR COURT ORDER MODIFIED.

Upon motion by the ☐ Plaintiff ☐ Defendant and after a hearing at which the Plaintiff ☐ appeared ☐ did not appear and the Defendant ☐ appeared ☐ did not appear, the Court has ORDERED that the prior Order dated \_\_\_\_\_, 199\_\_\_\_ shall be modified as indicated below:

\_\_\_\_\_  
\_\_\_\_\_

☐ Return of items ordered surrendered or suspended in A.12. on Page 1 presents a likelihood of abuse to the Plaintiff.

DATE OF ORDER	TIME OF ORDER <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	EXPIRATION DATE OF ORDER	NEXT HEARING DATE: _____ at _____ <input type="checkbox"/> A.M. <input type="checkbox"/> P.M. in Courtroom
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SIGNATURE/NAME OF JUDGE

☐ F. PRIOR COURT ORDER VACATED.

This Court's prior Order is vacated. Law enforcement agencies shall destroy all records of such Order.

☐ VACATED AT PLAINTIFF'S REQUEST.

SIGNATURE/NAME OF JUDGE	DATE OF ORDER	TIME OF ORDER <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.
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WITNESS - FIRST OR CHIEF JUSTICE  
rd PAUL F. MAHONEY

A true copy, attest (Asst.) Clerk Magistrate/ (Asst.) Register of Probate